



Senate

General Assembly

File No. 285

February Session, 2004

Substitute Senate Bill No. 539

Senate, March 29, 2004

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ENVIRONMENTAL IMPACT EVALUATIONS FOR CERTAIN PROJECTS ASSOCIATED WITH STATE COMPACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-1c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 As used in sections 22a-1 to 22a-1i, inclusive, "actions which may
4 significantly affect the environment" means individual activities or a
5 sequence of planned activities proposed to be undertaken by state
6 departments, institutions or agencies, or funded in whole or in part by
7 the state, or projects proposed by or on behalf of another state or
8 Indian tribe if this state has a compact with such other state or Indian
9 tribe and which activities or projects could have a major impact on the
10 state's land, water, air, historic structures and landmarks as defined in
11 section 10-320c, as amended, existing housing, or other environmental
12 resources, or could serve short term to the disadvantage of long term
13 environmental goals. Such actions shall include but not be limited to

14 new projects and programs of state agencies and new projects
15 supported by state contracts and grants, but shall not include (1)
16 emergency measures undertaken in response to an immediate threat to
17 public health or safety; or (2) activities in which state agency
18 participation is ministerial in nature, involving no exercise of
19 discretion on the part of the state department, institution or agency.

20 Sec. 2. Section 3-6c of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective October 1, 2004*):

22 Within ten days after the date of execution of any compact or
23 amendment to a compact between the state of Connecticut and another
24 state or an Indian tribe, the Governor shall file such compact or
25 amendment with the clerks of the House of Representatives and the
26 Senate. Prior to such filing, any environmental impact evaluation
27 required pursuant to chapter 439 shall be completed. The General
28 Assembly may approve such compact or amendment, in whole, by a
29 majority vote of each house or may reject such compact or amendment,
30 in whole, by a majority vote of either house. If rejected, the compact or
31 amendment shall not be valid and shall not be implemented. The
32 compact or amendment shall be deemed rejected if the General
33 Assembly fails to vote to approve or reject the compact or amendment
34 (1) prior to the adjournment of the regular session of the General
35 Assembly during which such compact or amendment is filed, (2) prior
36 to the adjournment of the regular session of the General Assembly first
37 following the date on which such compact or amendment is filed if the
38 General Assembly is not in regular session on such date, or (3) prior to
39 the adjournment of a special session convened before the next regular
40 session of the General Assembly for the purpose of considering such
41 compact or amendment if the General Assembly is not in regular
42 session on the date on which such compact or amendment is filed,
43 provided, if the compact or amendment is filed less than thirty days
44 before the end of a regular session, the General Assembly may vote to
45 approve or reject the compact or amendment (A) within thirty days
46 after the first day of a special session convened before the next regular
47 session of the General Assembly for the purpose of considering such

- 48 compact or amendment, or (B) within thirty days after the first day of
49 the next regular session of the General Assembly.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

Statement of Legislative Commissioners:

In section 1, the word "or" was inserted before "projects" for clarity.

ENV *Joint Favorable Subst.-LCO*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Department of Economic & Community Development; Department of Environmental Protection; Commission on Arts, Tourism, Culture, History and Film; Council of Environmental Quality	Various - Cost	Minimal	Minimal
Governor's Off.	GF - None		

Note: GF=General Fund

Municipal Impact: None

Explanation

Any potential workload increase incurred by an agency required to review an Environmental Impact Evaluation (EIE), due to the requirements in this legislation, is anticipated to be handled within the routine duties of the agencies involved.

There is no fiscal impact to the Governor's Office to file or amend a compact.

OLR Bill Analysis

sSB 539

**AN ACT CONCERNING ENVIRONMENTAL IMPACT EVALUATIONS
FOR CERTAIN PROJECTS ASSOCIATED WITH STATE
COMPACTS****SUMMARY:**

This bill requires other states or Indian tribes to complete a Connecticut Environmental Impact Evaluation (EIE) if they:

1. have signed a compact with the governor and
2. plan a project that could have a major impact on Connecticut's land, water, air, historic structures, landmarks, housing, or other environmental resources.

They must complete the EIE before the governor files the compact or amended compact with the House and Senate clerks in preparation for legislative approval.

EFFECTIVE DATE: October 1, 2004

BACKGROUND***Actions Requiring an EIE***

By law, state departments, institutions, or agencies considering (or funding in whole or part) actions that may significantly affect the environment (including actions that could have a short-term disadvantage to long-term environmental goals) must prepare an EIE before deciding whether to undertake or approve such an action. The EIE must be submitted to various agencies and is open to public inspection and comment.

State Agencies Commenting on and Reviewing EIEs

The agencies that receive EIEs for comment and review are: (1) the Council on Environmental Quality, (2) the Department of Environmental Protection, (3) the Connecticut Historical Commission, (4) the Office of Policy and Management, (5) Department of Economic

and Community Development (for proposed projects that affect existing housing), (6) the town clerk in affected towns, and (7) other appropriate agencies.

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 27 Nay 0